

### United States Patent and Trademark Office

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U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

10/586,929 Jochen Buck CFR D-3373-03 US 13089/46

INTERNATIONAL APPLICATION NO.

PCT/US05/01807

FU DIC DATE

I.A. FILING DATE PRIORITY DATE

01/20/2005

01/21/2004

26646 KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004

CONFIRMATION NO. 8259
371 FORMALITIES LETTER
\*OC000000023148074\*

Date Mailed: 04/09/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/21/2006
- Copy of the International Search Report filed on 07/21/2006
- Preliminary Amendments filed on 07/21/2006
- Oath or Declaration filed on 07/21/2006
- Request for Immediate Examination filed on 07/21/2006
- U.S. Basic National Fees filed on 07/21/2006
- Priority Documents filed on 07/21/2006
- Specification filed on 07/21/2006
- Claims filed on 07/21/2006
- Abstracts filed on 07/21/2006
- Drawings filed on 07/21/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$300 as a small entity, including any required multiple dependent claim fee, are
  required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are
  due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

IAP6 Rec'd PCT/PTO 24 MAY 2007

U.S. DEPÁRTMENT OF COMMERŒE PATENT AND TRADEMARK OFFICE (US/RO)				
	Docket Number: 13089/46102 [CFR	Docket Number: 13089/46102 [CFR D-3373-03 (US)]		
MISSING REQUIREMENTS UNDER 35				
		Int'l. App. No. : PCT/US05/01807		
Filing Date	Examiner	Art Unit		
July 21, 2006	Not Yet Assigned	Not Yet Assigned		
Invention Title				
CHEMICAL INHIBITORS OF SOLUBLE ADENYLYL CYCLASE (SAC)		Jochen Buck et al.		
	ENT AND TRADEMA CATION OF ENTS UNDER 35  Filing Date July 21, 2006  OF SOLUBLE	CATION OF CATION OF CNTS UNDER 35  Int'l. App. No. : PC Filing Date July 21, 2006  OF SOLUBLE  Docket Number: 13089/46102 [CFR  Examiner Not Yet Assigned  Inventor(s)		

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 2231301450

# RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. 371

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed April 9, 2007), Applicants submit herewith a fully executed Declaration and Power of Attorney in order to complete the filing requirements for the U.S. National Phase of the above-identified PCT application. A copy of the Notification of Missing Requirements is enclosed.

The Office is authorized to charge the additional, small entity claim fee of \$300.00 and the small entity surcharge fee of \$65.00 to Kenyon & Kenyon LLP's deposit account number 11–0600. The Office is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.

Dated:

May 24, 2007

Respectfully/submitted,

illem F. C. de Weerd Esq.

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KENYON 61 FCERTON LL 65.00 DA

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(212) 425-5288 (facsimile)

Express Mail No.: EV 839710643 US

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### **SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$365 for a Small Entity:

- \$65 Surcharge.
- Total additional claim fee(s) for this application is \$ 300
  - \$300 for 12 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <a href="http://www.uspto.gov/ebc.">http://www.uspto.gov/ebc.</a>

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/586,929	PCT/US05/01807	CFR D-3373-03 US 13089/46

FORM PCT/DO/EO/905 (371 Formalities Notice)